

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

NICOLE FORNI

Plaintiff

vs.

JOSHUA RESNICK, et al.

Defendants.

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)  
) CASE NO. 1:14-cv-09458  
)  
) JUDGE KATHERINE POLK FAILLA  
)  
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)  
) DISMISSAL ENTRY  
) Fed.Civ.R. 41(a)  
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ELECTRONICALLY FILED  
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DATE FILED: March 27, 2015

Now comes Plaintiff, pursuant to Fed.Civ.R. 41(a),<sup>1</sup> and hereby respectfully voluntarily dismisses this action without prejudice as

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<sup>1</sup> **Federal Rule 41(a)** provides:

(a) **Voluntary Dismissal.**

(1) By the Plaintiff.

(A) Without a Court Order. Subject to Rules 23(e), 23.1(c), 23.2, and 66 and any applicable federal statute, the plaintiff may dismiss an action without a court order by filing:

(i) a notice of dismissal before the opposing party serves either an **answer** or a **motion for summary judgment**; or

(ii) a stipulation of dismissal signed by all parties who have appeared.

(B) Effect. Unless the notice or stipulation states otherwise, the dismissal is without prejudice. But if the plaintiff previously dismissed any federal- or state-court action based on or including the same claim, a notice of dismissal operates as an adjudication on the merits.

to all defendants other than **Amazon.com, Inc.** (who filed an answer on July 31, 2014 docket #55).

Respectfully submitted;

LIPSON O'SHEA LEGAL GROUP

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**Attorney for Plaintiff**

Dated: March 27, 2015  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE